

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID COLETTA	:	CIVIL ACTION
	:	
v.	:	
	:	
RICHARD SUBERS and NETHER	:	
PROVIDENCE TOWNSHIP	:	No. 13-CV-5468

AND NOW, this 15th day of June, 2015, IT IS HEREBY ORDERED that:

1. Defendant's motion to dismiss the first amended complaint (Doc. # 11) pursuant to Fed. R. Civ. P. 12(b)(6) is GRANTED IN PART AND DENIED IN PART.

2. Count IV against Nether Providence Township is DISMISSED without prejudice. Defendant's motion to dismiss the remaining counts against Officer Subers is DENIED.

3. Defendant's motion to dismiss the complaint (Doc. # 9) is DISMISSED AS MOOT.

4. Defendant is directed to answer Plaintiff's first amended complaint within 21 days of this order.

5. A status conference will be held in my chambers on Tuesday, July 21, 2015 at 2 p.m.

BY THE COURT:

s/ J. William Ditter, Jr.
J. WILLIAM DITTER, JR., J.